IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5330 OF 2005

Dinesh @ Dinanath Narayan Pandav ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr.Sureshchandra Bhosale & Mr.Dushyant Purekar for the Applicant
Mr.K.V.Saste, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 5,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. Time was granted to the learned A.P.P. on the last date as he was desirous of making submissions as regards parity. It was stated by the learned A.P.P. that he wants to peruse the report of the Chemical Analyser. Time was granted till today.

2. The learned A.P.P. stated that there is no recovery made at the instance of the Applicant and therefore report of the Chemical Analyser may not be relevant. He, therefore, fairly stated on instructions that the Applicant will be entitled to claim parity on the basis of order dated 12th July 2005 passed in Criminal Application No.2975 of 2005.

3. Hence I pass the following order :

i) The Applicant shall be enlarged on bail in connection with C.R.No.42 of 2004 of Paud Police Station, Pune subject to furnishing a personal bond of Rs.15,000/- (Rupees fifteen thousand only) with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

iii) The Applicant shall cooperate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) Application is disposed of in above terms.

vi) The parties to act upon an authenticated copy of this order.

JUDGE